IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
TRAVELLER et al.   )
)
Application No.   09/919,594   )
) Examiner: Dodds, Harold E.
Filing Date: July 31, 2004   )
) Group Art Unit: 2177
For: "Method and System for Information   )
Communication Between Positionees and   )
Positionors"   )
)
)
)

SUPPLEMENTAL DECLARATION OF PRIOR INVENTION IN THE UNITED STATES TO OVERCOME CITED PUBLICATION PURSUANT TO 37 C.F.R. 1.131

DEAR COMMISSIONER:

I, Thomas Revane, hereby declare as follows:

1.   I have been an employee of the Illinois Department of Employment Security for twenty-nine (29) years. Between November 22, 1999, and August 2, 2000, I was employed as Manager of the Benefit Systems Division. On January 1, 2003, I was named Chief Information Officer, and currently hold that position.

2.   Since before November 22, 1999, and up to the present day, I have been a primary manager of the project that is embodied in U.S. Patent Application No. 09/919,594 entitled, "Method and System for Information Communication Between Positionees and Positionors."

3.   I am a joint inventor of the invention embodied in this application.

4.   I previously submitted a declaration on September 20, 2004, seeking to establish conception and/or reduction to practice of the invention in this application in the United States prior to the earliest effective date of four cited Publications from the First Office Action dated March 19, 2004, and used as grounds to reject the claims of this application. The four Publications include:
       1)   U.S. Patent Publication No. 2002/0059201   Effective Date: May 9, 2000

2) U.S. Patent Publication No. 2002/0059228   Effective Date: July 31, 2000
3) U.S. Patent No. 6,658,400   Effective Date: December 4, 2000
4) U.S. Patent No. 6,606,744   Effective Date: November 22, 1999

5.   This supplemental declaration is being submitted to further show how each of the pending claims were conceived of prior to November 22, 1999, and that after conception of the invention in this application prior to the earliest effective date of the four cited Publications, the joint inventors and I worked diligently to reduce the invention to practice.

6.   To establish a date of conception and/or reduction to practice of this application prior to the earliest effective date of the cited Publications, specifically, November 22, 1999, the attached **Exhibit A** is resubmitted as evidence with the accompanying explanation provided below. I respectfully note that this document is not presently being relied upon for establishing the earliest date of conception of the invention or of one or more pending claims, but is solely being used to establish that the date of conception of the invention was prior to the earliest date of the cited prior art, namely, November 22, 1999.

7.   I conceived of the invention as presently claimed in the application at least as early as September 27, 1999, the date on which I affixed my initials to **Exhibit A.**

8.   **Exhibit A** is the Application Architecture Deliverable generated at the behest of the IDES, and was subject to my approval as an IDES manager and joint inventor. **Exhibit A** incorporates a description of each and every one of the elements of the invention as currently claimed in the application, and as conceived of by me as a joint inventor.

9.   **Exhibit A** shows the following claim elements for the pending independent claims of the application.
As presented in claim 54:
A computer program for matching a potential positionee and a potential positionor, comprising: (Exhibit A; Page 2-1)
a code segment providing the potential positionee with a positionee information entry interface for electronically entering positionee information comprising the potential positionee's actual qualifications, the positionee information being stored in a database; (Exhibit A; Page 2-4)
a code segment providing the potential positionor with a positionor information entry interface for electronically entering positionor information comprising at least one target qualification for a position, the positionor information being stored in the database; (Exhibit A; Page 2-4)
a code segment for determining whether the positionee information correlates with the positionor information; (Exhibit A; Page 2-4)
a code segment creating a correlated information list of correlated information; and, (Exhibit A; Page 2-4)
a code segment providing the correlated information for review. (Exhibit A; Page 2-4)

As presented in claim 58:
A method of matching a potential positionee and a potential positionor, comprising the steps of: (Exhibit A; Page 2-1)

receiving positionee information comprising the potential positionee's actual qualifications, the positionee information being stored in a database; (Exhibit A; Page 2-4)

receiving positionor information comprising at least one target qualification for a position, the positionor information being stored in the database; (Exhibit A; Page 2-4)

correlating the positionee information with the positionor information; (Exhibit A; Page 2-4)

ranking the correlated information based upon the potential positionee's qualifications; (Exhibit A; Page 2-4)

displaying the correlated information to the potential positionor; and, (Exhibit A; Page 2-4)

receiving a command to take a recruiting action, and in response to the command, displaying the positionor information to the potential positionee. (Exhibit A; Page 2-4)

10.   I have reviewed the document comprising **Exhibit A** and find that this document represents what I believe to be a true copy of the record generated contemporaneously with my research and development of the invention coinciding with the claims of the above-identified application. This document supports that there was a conception of the invention of the claims in the above-identified application of a date as least as early as September 27, 1999, prior to the effective date of the relevant subject matter of the earliest cited Publication listed above.

11.   Following conception of the invention at least as early as September 27, 1999, I, the other employees of the IDES under my supervision, and outside contractors including the Chicago Systems Group working under my direction as a manager of the project, worked diligently to reduce to practice the invention as embodied in the currently pending claims of the application.

12.   **Exhibit B** is a Gantt Chart entitled Illinois Skills Match High-Level Project Schedule ism_proj. **Exhibit C** is a computer printout entitled IDES Status ism_proj. The Illinois Skills Match (ISM) is the commonly used name for the project which encompasses the invention of the above-referenced patent application. I have reviewed the documents comprising **Exhibits B and C** and find that these documents represent what I believe to be true copies of the record generated contemporaneously with my research and development of the invention coinciding with the claims of the above-identified application.

13.   **Exhibit B** contains bars showing the dates upon which various tasks for the ISM Project where conducted. **Exhibits C** breaks out the hours of manpower estimated for, and actually spent on each of the various tasks listed in **Exhibit B**. These tasks were related to reducing the ISM Project, which is the subject of the claims of the application, into a working website for use by Illinois job seekers through the Illinois Department of Employment Security.

14.   The actual coding, development, testing, and deployment of the ISM Project was conducted primarily by a technical team, a design team, two development teams, and a testing team. The work schedules for the various tasks performed by the technical team, design team, development teams, and testing team is shown in **Exhibit B** under the headings Project Mgmt Tasks – Technical Team, Project Mgmt Tasks – Design Team, Project Mgmt Tasks – AS Dev Team, Project Mgmt Tasks – BP Dev Team, and Project Mgmt Tasks – Testing Team, respectively. Between November 22, 1999 and August 8, 2000, at least one of the teams worked

continually on creating the ISM Project. During that time, I supervised the ongoing efforts of these teams.

15.   **Exhibit B** shows that the technical team, design team, development teams, and testing team performed the following tasks during the listed dates. These tasks were related to creating a working computer website for use by Illinois job seekers. The website and associated computer programs embody the reduction to practice of the subject matter of the invention of the present application. **Exhibit C** shows the anticipated and actual number of hours spent on each listed project, the dates on which these hours were spent, and further subdivides the projects listed below into even more specific tasks. The teams working on the ISM Project performed the following tasks.

    Technical Team
    Procured Hardware/Software for Development; April 1999 – April 2000
    Developed Data Architecture; January 1999 – January 2000
    Designed System Details; April 1999 – January 1999
    Acquired & Installed Technical Infrastructure; August 1999 – June 2000
    Coded Unit Test Infrastructure; June 1999 –March 2000
    Supported Development and Testing; August 1999 – September 2000
    Deployed Website; April 2000 – December 2000

    Design Team
    Conducted Detailed Design of Computer Program; March 1999 – December 2000

    AS Development Team
    Coded Unit Test Startup; October 1999 – January 2000
    Coded Unit Test; October 1999 – March 2000

    BP Development Team
    Coded Unit Test Startup; July 1999 – March 2000
    Coded Unit Tests for Individual Screens; October 1999 – March 2000

    Testing Team
    Conducted System Test Planning and Execution; August 1999 – June 2000
    Performed User Acceptance Testing; April 2000 – June 2000
    Deployed Project (Put Program On-line); October 1999 – December 2000
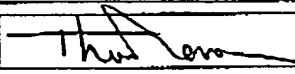   Provided Intensive Initial Production Support; July 2000 –March 2000

16.   The continuous efforts of the various teams involved in creating the Illinois Department of Employment Security's ISM Project between November 22, 1999, and August 8, 2000, were diligent in reducing to practice the invention as set forth in the patent application.

17.   All of the above events were performed in the United States of America.

DECLARATION

18.   AS THE PERSON SIGNING BELOW:

I hereby certify that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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